

City Council Agenda

Council President

Mike Dages

Councilmembers

**Tom Boyajian
Brian Calhoun
Jerry Duncan**

**Henry T. Perea
Cynthia Sterling
Larry Westerlund**

City Manager
Andrew T. Souza

City Clerk
**Rebecca E.
Klisch, CMC**

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650

The City Council welcomes you to this meeting.

March 15, 2005

If you would like to speak fill out a speaker request form available from the City Clerk's Office and in the Council Chambers. The agenda is available on (www.ci.fresno.ca.us). The Council meeting can also be heard live at the same web site address, and viewed live on Cable Channel 96 from 8:30 a.m. – 4:30 p.m. and re-played beginning at 8:30 p.m.

8:30 A.M. ROLL CALL

Invocation

Pledge of Allegiance to the Flag

Ceremonial Presentations:

Proclamation of "BLACKIE GEJEIAN DAY" – Council President Dages

Proclamation of "2005 NATIONAL COLORECTAL CANCER AWARENESS MONTH" – Mayor Autry

Council action on unscheduled items if any shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda. For each matter considered by the Council there will first be a staff presentation followed by a presentation from the project applicant. Testimony from those in attendance will then be taken. All testimony given will be limited to three minutes per person.

The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with one minute remaining and one tone will sound. The speaker should be completing the testimony by the time the red light comes on and two tones sound, indicating that time has expired.

Following is a general schedule of items for Council consideration and action. The City Council may consider and act on an agenda item in any order it deems appropriate. Actual timed items may be heard later but not before the time set on agenda. Persons interested in an item listed on the agenda are advised to be present throughout the meeting to ensure their presence when the item is called.

Approve minutes of March 8, 2005

Action Taken:

Councilmember Reports and Comments

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

1.

GENERAL CONSENT CALENDAR

(All Consent Calendar items are considered to be routine and will be treated as one agenda item. The Consent Calendar will be enacted by one motion. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and will be considered at 2:00 p.m.

A. Approve Amendment No. 2 to Lease and Concession Agreement between the City of Fresno and Nicholas J. Palomares (FYI Airport Barbershop) to extend the term for three (3) years – Airports Dept.

Action Taken:

B. Approve amendments to Agreements C-1446 and C-1448 to receive additional grant funds from the San Joaquin Valley Unified Air Pollution Control District Heavy Duty Engine Incentive Program – General Services Dept./Fleet Management Division

Action Taken:

C. * Award a requirements contract to Radio Satellite Integrators, Inc. of Torrance, CA for global positioning system/automated vehicle location – General Services Dept./Dept. of Public Utilities

Action Taken:

D. * Award a requirements contract to Toter Incorporated of Statesville, NC, for residential refuse containers – General Services Dept./Dept. of Public Utilities

Action Taken:

E. * Award a requirements contract to Bradley & Sons, Inc. of Del Rey, CA for water well test hole drilling – General Services Dept./Dept. of Public Utilities

Action Taken:

F. * Award a requirements contract to Zim Industries Inc. of Fresno to furnish and install water well pumping equipment - General Services Dept./Dept. of Public Utilities

Action Taken:

G. **RESOLUTION** – Authorizing the renewal of an agreement between the City of Fresno Housing Authority and the Police Department for the HUD capital funding Grant Program – Police Dept.

Action Taken:

1. * **RESOLUTION** – 65th amendment to AAR No. 2004-209 appropriating \$80,000 from the City of Fresno Housing Authority for renewal of the HUD Capital funding grant program (***Requires 5 affirmative votes***)

Action Taken:

2. * **RESOLUTION** – 19th amendment to PAR 2004-210 to reflect the addition of two (2) additional police officers for the HUD Capital funding grant program

Action Taken:

1. **GENERAL CONSENT CALENDAR CONTIDNUED**

- H. Adopt Resolution of Intention No. 1039-D to vacate a portion of N. Forkner Avenue south of W. Herndon Avenue and reserve a public utility easement over a portion of the area to be vacated and setting the public hearing for April 5, 2005 at 10:15 a.m. – Public Works Dept.
Action Taken:
- I. * Approve an agreement with Kleinfelder, Inc., to perform a second round of landfill gas compliance testing at the Fresno Sanitary Landfill (FSL) superfund site – Public Works Dept.
Action Taken:
- J. * **RESOLUTION** – 9th amendment to the Salary Resolution No. 2004-213 to reflect the creation of one (1) new class equivalent to that of Fire Captain – Fire Department
Action Taken:
- K. Approve and authorize the Director of Public Works to execute an agreement with the County of Fresno for shared maintenance of public roads which are dual-jurisdictional and border the City limits – Public Works Dept.
Action Taken:
- L. Authorizing the Code Enforcement Division of the Planning and Development Department to enter into a contractual agreement with the County of Fresno in order to provide graffiti abatement services within County islands – Planning and Development Dept.
Action Taken:
- M. Approve and authorize the City of Fresno to apply for a grant application to the California Department of Housing and Community Development for the Workforce Housing Reward Program – Planning and Development Dept.
Action Taken:
- N. * Approve a contract with Imfeld and Imfeld, AMO, AAMC, the property management for the residence located at 6453 W. Central Avenue, Fresno, CA, 93706 – Dept. of Public Utilities
Action Taken:
- O. **RESOLUTION** – Of intention to annex Final Tract No. 5224 to the City of Fresno Community Facilities District No. 2, Annexation No. 88, and setting the public hearing for April 19, 2005 @ 10:30 a.m. – Public Works Dept.
Action Taken:
- P. * Approve a cost reimbursement agreement with the City of Clovis for the construction of a portion (Phase I) of a water main interconnection project and authorizing the Director of Public Utilities to sign the agreement on behalf of the City of Fresno - Dept. of Public Utilities
Action Taken:
- Q. **RESOLUTION** – Approving the reallocation of \$78,500 for installing high speed fiber optic cable in the City of Fresno – Public Works Dept.
Action Taken:
1. **RESOLUTION** - Approving Reimbursement Agreement and authorizing the Public Works Director to execute same on behalf of the City
Action Taken:

2. **GENERAL ADMINISTRATION**

3. **CITY COUNCIL**

- A. Report on marketing plan and package for Roeding Business Park – Councilmember Westerlund
Action Taken:
- B. Discussion and direction regarding artwork in front of public buildings, specifically in front of Fire Station No. 15 in Sunnyside – Council President Dages
Action Taken:
- C. Discussion regarding the City growth boundary issue under reconsideration by the LAFCO Board on March 16, 2005 - Councilmember Calhoun
Action Taken:

SCHEDULED COUNCIL HEARINGS AND MATTERS

9:00 A.M. A. **SCHEDULED COMMUNICATION –**

- B. **UNSCHEDULED COMMUNICATION** – Members of the public may address the Council regarding items that are not listed on the agenda and within the subject matter jurisdiction of the Council. Each person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least ten (10) days prior to the desired date.

9:05 A.M. Receive annual report on the Convention Center – Council President Dages
Action Taken:

9:30 A.M. **HEARING** to consider Rezone Application No. R-04-73, and environmental findings, filed by Ronald Calloway, pertaining to 0.35 acre of property located on the southwest corner of N. Blythe and W. Cornell Avenues, south of W. Shields Avenue (***Property located in District 1***) – Planning and Development Dept.
Action Taken:

a. Consider and adopt Environmental Assessment No. R-04-73, Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130)
Action Taken:

b. **BILL** - Amending the Official Zone Map to rezone the subject property from the AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district
Action Taken:

9:45 A.M. **HEARING** to consider Rezone Application No. R-04-75, and environmental findings, filed by Donald W. Sims, pertaining to 0.34 acre of property located on the southeast corner of E. California and S. Lily Avenues, west of State Highway 99 (***Property located in District 3***)
Action Taken:

a. Consider and adopt Environmental Assessment No. R-04-75, Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130)
Action Taken:

b. **BILL** - Amending the Official Zone Map to rezone the subject property from the C-5 (*General Commercial*) zone district to the R-1/UGM (*Single Family Residential*) zone district
Action Taken:

10:00 A.M. **HEARING** to consider the 2005 Weed Abatement Program – Planning and Development Dept.
Action Taken:

a. **BILL - (For Introduction)** - Adopting the 2005 Weed Abatement Program
Action Taken:

10:15 A.M. Presentation by John Capitman of the Central Valley Health Policy Institute to inform the Council of their upcoming Health Policy Leadership Program – Councilmember Calhoun
Action Taken:

SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED

10:30 A.M. – 10:45 A.M. RECESS

2:00 P.M.#1 **CONTESTED CONSENT CALENDAR**

2:00 P.M.#2 **CLOSED SESSION**

- A. **CONFERENCE WITH LABOR NEGOTIATOR** – Government Code Section 54957.6
City Negotiator(s): Jon Ruiz and Ruth F. Quinto
Employee Organization(s):
1. Fresno Police Officers Association (FPOA Management Unit)
Action Taken:
- B. **CONFERENCE WITH LEGAL COUNSEL- FRIEND-OF-THE-COURT-PARTICIPATION**
Government Code Section 54954.2, Subdivision (a)
1. **Case Name:** Smith v. City of Hemet
Action Taken:
- C. **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION** - Government Code Section 54956.9, subdivision (a)
1. **Case Name:** Turnupseed Electric Service, Inc. v. Mauldin-Dorfmeier Construction, Inc.
Action Taken:

2:00 P.M.#3 **CLOSED SESSION OF THE REDEVELOPMENT AGENCY**

1. **PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT** - Government Code Section 54957
Title: Appointment of Executive Director – Councilmember Calhoun
Action Taken:

2:00 P.M.#4 **CLOSED SESSION ANNOUNCEMENTS (IF ANY)**

2:30 P.M. Acceptance of local agriculture industry position on inspection standards for international flights – Councilmember Duncan
Action Taken:

3:00 P.M. **JOINT MEETING WITH THE REDEVELOPMENT AGENCY**

Approve Agency minutes of March 8, 2005
Action Taken:

- A. Approval of an Owner Participation Agreement with Martin Luther King Square, (MLK) LLC, acting through its Managing Member, A.F. Evans, Inc., a California Corporation, including related loan documents to finance a portion of rehabilitation costs of The MLK Square Apartments and make findings and approvals in connection therewith and authorizing execution of documents **(Council and Agency action)**
Action Taken:
1. **RESOLUTION** – Approving execution of an Owner Participation Agreement with Martin Luther King Square, LLC, acting through its general partners, A.F. Evans Company, Inc., a California Corporation including related loan documents to finance a portion of rehabilitation costs of The MLK Square Apartments and making findings and approvals in connection therewith and authorizing execution of documents **(Council and Agency action)**
Action Taken:

ADJOURN AGENCY

SCHEDULED COUNCIL HEARINGS AND MATTERS

Mar.	22 -	NO MEETING – EASTER WEEK	
Mar.	29 -	10:00 A.M.	HEARING re: Rezone Appl. No. R-04-58, filed by Gretchen Freedman, for 0.13 acres of property located at 2811 North Wishon Avenue
Mar.	29 -	10:15 A.M.	HEARING to adopt a Resolution to create the boundaries of residential parking District #9 - (Property located in District 1)
Mar.	29 -	10:30 A.M.	HEARING to consider resolution of public use and necessity for the acquisition of permanent easements and rights of way for public street purposes and temporary construction easements from the following parcel of real property located at the intersection of First and Tulare Streets in the City of Fresno: APN 468-390-44s owned by SSBI Canyon Crest Condominiums, L.P.
April	5 -	10:00 A.M.	HEARING re: CFD No. 2, Annexation No. 90, Final Tract Map No. 5284
April	5 -	10:15 A.M.	HEARING to consider the adoption of a resolution vacating a portion of N. Forkner Avenue, south of W. Herndon Avenue and reserve a public utility easement over a portion of the area to be vacated
April	12 -	8:30 A.M.	Presentation of P.R.I.D.E. Team Certificates (Reception immediately following – 2 nd floor foyer)
April	19 -	9:30 A.M.	Presentation by the Fresno County Transportation Authority Advocates Office on the education of Measure “C”, 1986 through the present time – Public Works Dept.
April	19 -	10:00 A.M.	WORKSHOP to consider implementation and use of traffic signal fees and implementation of new Community Facilities District (CFD) – Council President Dages
April	19 -	10:30 A.M.	HEARING re: CFD No. 2, Annexation No. 88, Final Tract Map No. 5224
April	19 -	4:30 P.M.	CONTINUED HEARING to consider Fresno City Planning Commission decision regarding Conditional Use Permit (CUP) Application No. C-02-226, and environmental findings, filed by Wilkins Enterprises
April	26 -	NO MEETING – COUNCIL BREAK	
May	3 -	10:00 A.M.	Presentation of Employee Service Awards (Reception immediately following – 2 nd floor foyer)

(Future workshops – dates to be determined)

(June) WORKSHOP – Follow-up discussion regarding Caltrans discussion held 12/7/2004

WORKSHOP – Urban Forest